

WHAT IS CLAIMED IS:

1. A data sending receiving apparatus comprising:

a first storage unit holding plural data on memory;

a retrieval unit for retrieving the data stored in said first storage unit;

a first sending receiving unit for sending data retrieved by said retrieval unit, said first sending receiving unit receiving the request information sent from a user and supplying the received request information to said retrieval unit; and

a second sending receiving unit for receiving the data sent from said first sending receiving unit and for sending the request information from the user, said second sending receiving unit having a decision unit for checking whether or not data sent from said first sending receiving unit is data newly stored in said first storage unit and a second storage unit for storing data sent from said first sending receiving unit if the results of check by said check unit indicates that the data is data stored in said first storage unit.

2. The data sending receiving apparatus according to claim 1 wherein said second sending receiving unit further includes a reproducing unit and wherein, if the results of check by said decision unit indicates data other than data newly stored in said first storage unit, said second sending receiving unit reproduces the data sent from the first sending receiving unit by said reproducing unit.

3. The data sending receiving apparatus according to claim 1 wherein said first sending receiving unit when sending data retrieved by said retrieval unit appends

supplementary data indicating that the data is data newly stored in said first storage unit if data sent is the the data newly stored in said first storage unit.

4. The data sending receiving apparatus according to claim 3 wherein said decision unit checks whether or not data sent from said first storage unit is data newly stored in said first storage unit.

5. The data sending receiving apparatus according to claim 1 wherein said second sending receiving unit generates the request information from the user inclusive of data specifying the user's intention to make payment to send the generated information to said first sending receiving unit.

6. The data sending receiving apparatus according to claim 5 wherein said first sending receiving unit switches the sending mode to said second sending receiving unit of data retrieved by said retrieval unit based on data specifying the user's intention to make payment sent from the second sending receiving unit.

7. The data sending receiving apparatus according to claim 6 wherein said first sending receiving unit switches the sending mode to the second sending receiving unit based on data specifying the user's intention to make payment sent from the second sending receiving unit if data retrieved by said retrieval unit is data newly stored in said first sending receiving unit.

8. The data sending receiving apparatus according to claim 7 wherein said first sending receiving unit sends to said second sending receiving unit data newly stored in said first sending receiving unit with the same data quality as that in sending other

data stored in said first storage unit if data specifying the user's intention to make payments for the request information from the user sent from the second sending receiving unit indicates that the user is willing to make the payments.

9. The data sending receiving apparatus according to claim 8 wherein said first sending receiving unit sends to said second sending receiving unit data newly stored in said first sending receiving unit with the data quality lower than that in sending other data stored in said first storage unit if data specifying the user's intention to make payments for the request information from the user sent from the second sending receiving unit indicates that the user is not willing to make the payments.

10. The data sending receiving apparatus according to claim 1 wherein said second sending receiving unit generates the request information from the user inclusive of the genre designation information to send the generated information to said first sending receiving unit.

11. The data sending receiving apparatus according to claim 10 wherein said second sending receiving unit when reproducing data stored in said second storage unit reproduces the data in the same playback state as that for reproducing data other than the data newly stored in said first storage unit if the user is willing to make the payment.

12. The data sending receiving apparatus according to claim 11 wherein said second sending receiving unit when reproducing data stored in said second storage unit sends the information concerning the payment to said first sending receiving unit if the user

is willing to make the payment.

13. The data sending receiving apparatus according to claim 12 wherein said first sending receiving unit performs accounting based on the accounting information sent from said second sending receiving unit.

14. The data sending receiving apparatus according to claim 11 wherein said first sending receiving unit sends to said second sending receiving unit data specifying that the accounting has come to a close and appends accounting data specifying that effect to data for playback stored in the second storage unit based on data specifying that the accounting has come to a close.

15. The data sending receiving apparatus according to claim 14 wherein said second sending receiving unit switches the reproducing state of data stored in said second storage unit based on said accounting data.

16. The data sending receiving apparatus according to claim 11 wherein said second sending receiving unit discontinues the reproducing state if, when reproducing data stored in said second storage unit, the user has no intention to make payments.

17. The data sending receiving apparatus according to claim 10 wherein said first sending receiving unit sends to the retrieving unit the request information from the user containing the genre designation information sent from the second sending receiving unit, and wherein said retrieval unit retrieves data stored in said first storage unit based on the request information from the user containing the genre designation information to send the retrieved data to the second sending receiving unit.

Sub 127 18. A data receiving apparatus comprising:

a sending receiving unit for receiving data sent from a host side device and for sending the request information from the user to said host side device;

a storage unit for storing received data sent by said sending receiving unit; and

a controller for checking whether or not the sent data is data newly stored in said host side device, said controller causing the sent data to be stored in said storage unit if the results of check indicate that the sent data is data newly stored in said host side device.

19. The data receiving apparatus according to claim 18 further comprising:

a reproducing unit;

said controller causing the sent data to be reproduced by said reproducing unit if the results of check indicate that the sent data is data other than data newly stored in said host side device.

20. The data receiving apparatus according to claim 19 wherein said controller further includes a check unit for checking whether or not the sent data is data newly stored in said host side device.

21. The data receiving apparatus according to claim 20 wherein said controller discriminates, based on the supplementary data appended to the sent data for indicating that the data is data newly stored in the host side device, whether or not the sent data is data newly stored in the host side device.

22. The data receiving apparatus according to claim 18 wherein said sending receiving

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unit generates the request information from the user containing data specifying the user's intention to make payments to send the generated data to said host side device.

23. The data receiving apparatus according to claim 18 wherein said sending receiving unit generates the request information from the user containing the genre designation information to send the generated information to said host side device.

24. The data receiving apparatus according to claim 23 wherein if, when data stored in said storage unit is to be reproduced, the user has the intention to make payments, the data is reproduced in a reproducing state similar to that for reproducing data other than said data newly stored in said host side device.

25. The data receiving apparatus according to claim 24 wherein if, when data stored in said storage unit is to be reproduced, the user has the intention to make payments, the accounting information is sent from said sending receiving unit to said host side device.

26. The data receiving apparatus according to claim 25 wherein, after accounting comes to a close on the basis of the accounting information, accounting data specifying that the accounting has come to a close is appended to data for playback stored in said storage unit.

27. The data receiving apparatus according to claim 26 wherein the playback state of data stored in said storage unit is switched based on said accounting data.

28. The data receiving apparatus according to claim 24 wherein if, when reproducing data stored in said storage unit, the user has no intention to make payments, the

reproducing state is discontinued.

29. A data sending receiving method comprising the steps of:

retrieving plural data stored in a first storage unit based on the request information from a user sent to a host side device;

sending the retrieved data to a terminal side device;

checking whether or not the sent data is data newly stored in said first storage unit; and

storing the sent data in a second storage unit of said terminal side device if the results of discrimination indicate that the sent data is data newly stored in said first storage unit.

30. The data sending receiving method according to claim 29 wherein, if the results of discrimination indicate that the sent data is data other than data newly stored in said first storage unit, the sent data is reproduced by said terminal side device.

31. The data sending receiving method according to claim 29 wherein if, when the retrieved data is sent, the sent data is data newly stored in said first storage unit, supplementary data specifying that the sent data is data newly stored in said first storage unit is appended to the sent data and resulting data is sent.

32. The data sending receiving method according to claim 31 wherein the sent data is checked on the basis of the supplementary data as to whether the sent data is data newly stored in said first storage unit.

33. The data sending receiving method according to claim 29 wherein the request

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information from the user containing data specifying the user's intention to make payments is generated and sent from said terminal side device to said host side device.

34. The data sending receiving method according to claim 33 wherein the sending mode of the retrieved data is switched on the basis of data specifying the user's intention to make payments for the request information sent from the portable terminal device.

35. The data sending receiving method according to claim 33 wherein the sending mode of the retrieved data is switched on the basis of data sent from the terminal side device specifying the user's intention to make payments for the request information in case the retrieved data is data newly stored in said first storage unit.

36. The data sending receiving method according to claim 35 wherein, if the data sent from the terminal side device specifying the user's intention to make payments for the request information sent from the terminal side device specifies that the user has the intention of making payments, data newly stored in said first storage unit is sent to said terminal side device with the same data quality as that of other data stored in said first storage unit and sent.

37. The data sending receiving method according to claim 36 wherein, if the data sent from the terminal side device specifying the user's intention to make payments for the request information sent from the terminal side device specifies that the user has no intention of making payments, data newly stored in said first storage unit is sent to said terminal side device with the data quality inferior to that of other data stored in said

first storage unit and sent.

38. The data sending receiving method according to claim 29 wherein the request information from the user containing the genre designation information is generated and sent to said host side device.

39. The data sending receiving method according to claim 38 wherein if, when data stored in said storage unit is to be reproduced, the user has the intention to make payments, the data is reproduced in a reproducing state similar to that in reproducing data other than said data newly stored in said host side device.

40. The data receiving method according to claim 39 wherein if, when data stored in said storage unit is to be reproduced, the user has the intention to make payments, the accounting information is sent to said host side device.

41. The data sending receiving method according to claim 40 wherein accounting is executed on the basis of the accounting information sent from the terminal side device.

42. The data sending receiving method according to claim 41 wherein data specifying that the accounting has come to a close is sent to said terminal side device and wherein said terminal side device appends accounting data specifying that the accounting has come to a close to data for playback stored in said second storage unit based on data specifying that the accounting has come to a close.

43. The data sending receiving method according to claim 42 wherein the reproducing state of data stored in said second storage unit is switched based on said accounting data.

44. The data receiving apparatus according to claim 39 wherein if, when reproducing data stored in said second storage unit, the user has no intention to make payments, the reproducing state is discontinued.

45. The data receiving apparatus according to claim 38 wherein data stored in the first storage unit is retrieved on the basis of the request information from the user containing the genre designation information sent from the terminal side device and wherein the retrieved data is sent to said terminal side device.

46. A data sending apparatus comprising:

a storage unit having plural data stored therein;

a retrieval unit for retrieving data stored in said storage unit based on the request information from the user containing data specifying the user's intention to make payments sent from a terminal side device; and

a sending receiving unit for sending the data retrieved by said retrieval unit, said sending receiving unit receiving the request information sent from the user to send the received information to said retrieval unit, said sending receiving unit switching the sending mode to said terminal side device of data retrieved by said retrieval unit based on data specifying the user's intention to make payments for the request information from the user.

47. The data sending apparatus according to claim 46 wherein said sending receiving unit switches the sending mode to said terminal side device based on data specifying the user's intention to make payments for the request information from the user sent

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from the terminal side device if the data retrieved by said retrieval unit is data newly stored in said storage unit.

48. The data sending apparatus according to claim 47 wherein, if the data sent from the terminal side device specifying the user's intention to make payments for the request information sent from the terminal side device specifies that the user has the intention of making payments, data newly stored in said storage unit is sent to said terminal side device with the same data quality as that of other data stored in said storage unit and sent.

49. The data sending apparatus according to claim 48 wherein, if the data sent from the terminal side device specifying the user's intention to make payments for the request information sent from the terminal side device specifies that the user has no intention of making payments, data newly stored in said storage unit is sent to said terminal side device with the data quality inferior to that of other data stored in said storage unit and sent.

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